

1 The City Council of the City of Seabrook met in regular session on Tuesday, April 17, 2018 at
2 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if
3 appropriate, take action on the items listed below.
4

5 THOSE PRESENT WERE:

6 THOM KOLUPSKI	MAYOR
7 ROBERT LLORENTE – Ex. Abs.	COUNCIL PLACE NO. 1
8 LAURA DAVIS	COUNCIL PLACE NO. 2
9 GARY JOHNSON	MAYOR PRO TEM &
10	COUNCIL PLACE NO. 3
11 NATALIE PICHA	COUNCIL PLACE NO. 4
12 GLENNA ADOVASIO	COUNCIL PLACE NO. 5
13 JOE MACHOL	COUNCIL PLACE NO. 6
14 GAYLE COOK	CITY MANAGER
15 SEAN LANDIS	DEPUTY CITY MANAGER
16 STEVE WEATHERED	CITY ATTORNEY
17 ROBIN HICKS	CITY SECRETARY
18	

19 Mayor Kolupksi called the meeting to order at 7:00 p.m. and led the audience in the United
20 States and Texas Pledge of Allegiance.
21

22 **1. PRESENTATIONS**
23

24 **1.1** Introduce new police officers, Ingris Berrios, Alejandra Hernandez, Dan Kirby, and John
25 Self, and administer oaths of office. (Wright)
26

27 Chief Wright stated that it's an honor and privilege to introduce four new officers for the
28 City of Seabrook, Ingris Berrios, Alejandra Hernandez, Dan Kirby and John Self. Chief
29 Wright also stated that it's not only an honor to have new officers, but a great honor to have
30 these officers working for Seabrook.
31

32 City Secretary administered oaths of office.
33

34 Chief Wright performed the badge ceremony for each officer, and presented, "Seabrook's
35 finest".
36

37 **1.2** Presentation of the 2018 Lucky Trail Marathon Post Event Update. (Sabban)
38

39 Robby Saban, Lucky Trail Marathon Organizer, showed a brief Power Media drone video
40 of the 2018 race, showing many walkers, runners, and Seabrook trails and beautiful
41 vegetation.
42
43
44

45 Mr. Saban thanked the City Manager and her staff, the Director of Communications and
46 her staff, the Police Department and the Parks Department for their outstanding,
47 professional work.
48

49 Mr. Saban stated that the Lucky Trail Marathon started 15 years ago with 180 people to
50 race and raise a little funds, and over the years over \$700,000 have been donated to local
51 charities. The organization is a 501(c)3, so whatever money is left over after expenses is
52 donated. Last year \$50,000 was donated and this year \$65,000 was donated.
53

54 A new Seabrook race website was launched this year, and the race was also advertised on
55 Facebook and Twitter. There are over 16,000 people on an email contact list, which has
56 grown organically since participants are not forced to sign up for the list when they register
57 for races. This race is advertised at the Houston Marathon expo, the Austin Marathon expo,
58 and the Zydeco Expo in Lafayette where runners are engaged because the Seabrook race is
59 the easiest one in Texas because it is flat and all gravel and trails. In addition, the banner at
60 the expo has a map, so that people will know where Seabrook is located. Lucky Trail
61 Marathon is also advertised through flyers, direct email, and ads in the Texas Runner and
62 Triathlete magazine, which is distributed to 27,000 people, and which featured Seabrook
63 trails on his front page this year and a post race article about Seabrook. There are also pre
64 and post race press releases.
65

66 This year there were over 2000 runners from 26 different states, and the Canadian couple
67 from last year came back for this year's race. Runner demographics: 59% female and 41%
68 male; Youngest runners: 7 yr male and 6 yr old female; Oldest runners: 83 yr male and 78
69 yr old female; Marathon oldest: male 77 and female 78. Marathon youngest: male 14 and
70 female 19; Half marathon oldest: 83 male and 78 female; Half Marathon youngest: male 11
71 and female 13. 31 Seabrook residents participated on Friday; 95 on Saturday; and 25 on
72 Sunday. A guide is sent to all runners regarding particulars for each race and advertising
73 the City. Overall our numbers went from 1610 in 2017 to 2113 in 2018.
74

75 A few years ago, someone on City Council suggested a 5K, so it was added. It has been a
76 blessing because it definitely helped the numbers, but at the same time, this year the 5K
77 filled out the streets, and roads, and parking was a challenge. It's a great success, but at the
78 same time there are challenges.
79

80 For 2018 there were:

81 5k
82 kids K (33 kids)
83 ¼ marathon
84 ½ marathon
85 2 person ½ marathon relay
86 ¾ marathon
87 marathon
88 4 person marathon relay
89

90 A costume contest.

91
92 Because of the street traffic on Saturday, the 5K is moving to Sunday and from the streets
93 to the trails.

94
95 Improvements: opened registration the day of the race (send out email the day of the
96 race) – had over 100 people that registered for next year's race

97
98 Improvements: continue to evaluate Expo promotions and race card placements
99 Improvements: trails use received a lot of good feedback; drone and video was good and
100 will highlight the trails in Seabrook.

101
102 The hotels rooms reserved for Lucky Trail were all booked.

103
104 This year there was a veteran who ran his 101st half marathon, as a tribute to his 101st
105 squadron. His race bib number was 101.

106
107 10 city employees ran, including Gayle, LeaAnn, and Myra did the half marathon.

108
109 Mr. Saban presented the City with a Lucky Trail appreciate plaque and thanked the City
110 staff and the Council.

111
112 **1.3 Presentation of the Quarterly Report by the Open Space and Trails Committee.**
113 **(Burton)**

114
115 Helen Burton, Chair of the Open Space and Trails Committee, stated that the
116 Committee has been very active over the past quarter.

117
118 Committee Member Sally Antrobus wrote a grant application for Keep Texas
119 Beautiful and the City was awarded \$160,000 for a landscape project along a State
120 Highway.

121
122 The Parks Department added a trail at Baybrook so that people could run along
123 the lit and shaded trail instead of running from the trail to the dark parking, which will
124 hopefully be a bit safer. Committee Member Debra Harper has been doing a wonderful job
125 of trying to beautify that area by planting trees and flower beds.

126
127 Committee Member David Popken put together a birding event at Carothers with
128 60 people participating. The Committee is discussing having that event or a similar birding
129 event every quarter, with the help of the Audubon Society.

130
131 Two different tree planting events took place, one in January (600 seedlings) and
132 one in February (150 trees from Apache). 600 seedlings were planted, thanks to the
133 awesome work of Committee Member John Coggeshall. The seedlings were a little bit
134 bigger this year, and they are doing well with 80% surviving. All of the Apache trees are

also doing well. 70% of last year's seedlings have died. Ms. Antrobus has carefully planted native species at Pine Gully to keep people off the wetlands. Ms. Harper planted a tree at Baybrook Park that started as a seedling in a pot at her house.

Mr. Popken is working on eliminating privet in the prairie. E

An enthusiastic volunteer wants to plant 200 milkweed plants at Wildlife Park in an area that is mowed once per year. Milkweed attracts butterflies.

There is a new pelican at Carothers.

Laura Harris, a friend of John Coggeshall's, took a video of a river otter at Pine Gully. Because the boat ramp under the bridge will go away due to the Highway 146 expansion, the Committee voted to move the sign for the wetlands that's near the boat ramp over to Pine Gully Park.

Keep Texas Beautiful grant recipients are encouraged to hold a Trash Off, once per year; therefore, the first Seabrook Trash Off will take place on April 28. Keep Texas Beautiful will provide supplies. Everyone wishing to participate will meet at the Community House for registration at 8:30am. The event will start at 9:00am.

The Committee would like to move the beautiful trees at Walgreens that will be taken down because of the 146 project. Public Works can move the 10 trees that are right beside Highway 146. The bigger trees are too big to be moved.

A bird conservation grant is available, and Ms. Antrobus is working on the application. She will be asking for funds to build an osprey branch/post, one near Port of Houston, and one at Public Works.

Various Councilmembers thanks Ms. Burton for a great job by the Committee.

1.4 Presentation of the bi-annual Seabrook Economic Development Corporation report. (Chavez / Dunphey)

Paul Dunphey, President of the Seabrook Economic Development Corporation, thanked Council, and explained that the SEDC bylaws require that an update of economic development activities be presented to Council twice each year.

Goals are set every year by the SEDC Board, and right now the Corporation is very busy in anticipation of the Highway 146 expansion project. The plan is a few more years of incentives of promoting existing businesses and looking for new businesses to prosper in Seabrook. Communication and Marketing is important, and the Economic Development Department is very active on the new SEDC website with promoting real estate and making sure business owners and residents are knowledgeable about what is available in Seabrook and what the incentives are for relocating here. Old Seabrook has

180 been a priority project for many years. A big plus for new businesses in Old Seabrook is
181 the Main Street plan for turning some of the streets into one way so that parking can be
182 increased and walkways can be constructed. These improvements will help to grow Old
183 Seabrook. Merlion is the first business to relocate under the Main Street plan. Every year
184 the SEDC Board budgets monies for different projects, and the Board has set aside monies
185 for long term improvements in Old Seabrook. The Board is also reviewing potential
186 expansion incentives for new business development because the goal is to make the
187 community prosper through tax revenues. Another goal is to provide guidance to Council
188 on economic development decisions and future land uses. A final goal is to make
189 recommendations for the City's CIP projects, including providing EDC funding, and
190 making recommendations about where those monies can be spent.

191
192 Businesses that have received development incentives this year include:

193
194 BlueLine Rentals (staying and re-doing their facility)
195 Mario's Pizza (relocation)
196 Merlion Restaurant (relocation to Main Street)
197 Riot Salon
198 Morgan SW Land
199 YM Properties, Dr. Young
200 Seabrook Marina
201

202 The businesses are required to enter into a performance agreement with SEDC in
203 order to receive the incentive monies. Sales tax abatement is lost revenue; therefore, the
204 SEDC has to weigh out the long term capital improvement and return on investment with
205 each incentive proposal, so that at some point the City recoups the lost revenue/taxes.
206 \$752,433 has been pledged this year for business incentives. The Economic Development
207 Director has put together a spreadsheet to track the performance and funds. He is very
208 active in engaging businesses.
209

210 Paul Chavez, Director of Economic Development, stated that in addition to
211 business incentives, SEDC has been active in enhancing the City through participation in
212 various City projects such as the SH 146 corridor expansion, Main Street Plan in Old
213 Seabrook (to make Old Seabrook more walkable), the Public Works Facility relocation, an
214 HGAC Livable Centers grant of \$194,000 with an SEDC match,
215

216 SEDC Director's accomplishments include:

217 Constant meetings with 146 businesses
218 Site consultant and prospect tours of the community
219 Buy local campaign (on hold until 146 completion)
220 Attend ICSC/ReCon – largest retail convention in U.S.
221 Launch of new SEDC website
222

223 SEDC has contracted with Retail Coach for 12 months for assistance with retail
224 recruitment endeavors, demographic reports and items sent out to prospects, with a focus on
225 bigger chains (national and international).
226

227 Last year at ISCS staff met with 23 different companies and this year there are 14
228 meetings scheduled so far, all set by the Economic Development Director, and not by Retail
229 Coach, including Denny's, Fire House Subs, Wolfe and Company, Starbucks, Evergreen,
230 and others. Another goal during the conference is to meet with companies that are already
231 in Seabrook and discuss the possible effects of the 146 expansion. A meeting has been set
232 with the owners of Seabrook Plaza, where Spec's is located, to discuss upgrading that site.
233

234 There are 13 new and expanding businesses in Seabrook from Sept 2017 to April
235 2018, all with long term leases that are hiring people. Slow Twitch Niche moved to
236 Seabrook in 2017 and has already expanded.
237

238 Nine businesses have closed and three have been repurposed. Subway was the
239 only Harvey casualty. The owner has stated that other prospects have looked at the site, but
240 that it needs a little work.
241

242 146 business closures:

243 Laredo's – will come back – no rush

244 Mattress, Inc

245 Neptune Subs – he's wanting someone to take over his business

246 Sonic; Taco Bell/KFC – will be coming back

247 Walgreen's – said not coming back, but consultant has been looking

248 Tookie's Hamburgers –may come back
249

250 Relocations – this list is kept updated; properties available for relocation:

251 Autozone

252 Benjamin's Automotive

253 CVS

254 Enterprise Rent A Car

255 Fatty's

256 Hill's Liquor

257 Mario's Pizza – only one asking for incentives

258 Ryan's Cleaners

259 Seabrook House of Flowers

260 Tobacco Depot
261

262 Old Seabrook coming soon:

263 Brew Pub

264 Coffee and Dessert Shop

265 Burger Grill

266 Gourmet Sandwich shop – want to develop a biking network
267

268 Mayor Kolupski stated that the City knew the 146 expansion project was coming,
269 so SEDC has built its fund balance up in anticipation. Right now that's the focus, and
270 SEDC is doing a great job. SEDC has helped out on the aesthetic portion of the 146 project,
271 and that's important. Mr. Chavez explained that SEDC has done everything to Paul make
272 sure the businesses got the 146 information and the availability of relocation options.
273

274 Mr. Dunphey explained that the 146 expansion will be painful, but at the
275 completion, there will be a newly built community. SEDC will probably concentrate on the
276 Point after the completion of the highway project and the Old Seabrook infrastructure.
277 SEDC does not own property, but can incentivize businesses to stay in Seabrook and
278 relocate to Seabrook. The vision needs to be kept. Revenues will be higher after the
279 highway project is completed. SEDC still has tools in the toolbox, and in general there is a
280 lot of opportunity and potential.
281

282 **2. PUBLIC COMMENTS AND ANNOUNCEMENTS**

283 *At this time we would like to listen to any member of the audience on any subject matter, whether*
284 *or not that item is on the agenda. All comments are limited to a maximum of four minutes for*
285 *each speaker, shall be limited to city business or city-related business or matters of general*
286 *public interest, and shall not include any personal attacks. In accordance with the Open*
287 *Meetings Act, members may not discuss or take action on any item that has not been posted on*
288 *the agenda. When your name is called, please come to the podium and state your name and*
289 *address clearly into the microphone before making your comments. Thank you.*
290

291 Ronica Hall, 2609 LaTeche, invited volunteers to the CERT shelter management drill on
292 Thursday, April 19, at the Community House from 6:30p-8:30p. Following a mock disaster,
293 victims will be moved to the Community House to open a shelter following Red Cross
294 guidelines. This has been done this in the past. Red Cross will be there to critique. The drill
295 will be much more interesting with a lot of victims/clients. Various scenarios forces CERT to
296 focus on how to manage the drill.
297

298 **2.1** Mayor, City Council and/or members of the city staff may make announcements about
299 city/community events. (Council)
300

301 Councilmember Adovasio announced several upcoming events, including early voting;
302 Friends of the Evelyn Meador Library Annual Meeting; Seabrook Trash Off; Election Day;
303 Keels and Wheels; City offices closed for Memorial Day; Seabrook Association Membership
304 Drive; Candidate forum on May 1, and Harris County Mayors' and Councils' Association
305 meeting.
306

307
308 **THIS SPACE INTENTIONALLY LEFT BLANK**
309
310
311
312

313 **3. *SPECIFIC PUBLIC HEARINGS***

314
315 **3.1** Conduct a public hearing on proposed text changes to Appendix A, "Comprehensive
316 Zoning", Article 5, "Off Street Parking, Loading, Ingress and Egress; and Landscaping and
317 Safety Requirements". (Landis)

318
319 Mayor Kolupski opened the public hearing.

320
321 Sean Landis, Deputy City Manager, announced that the Planning & Zoning Commission
322 has gone through and started a review of ordinances, and recently Council approved
323 modifications to the sign ordinance. This is a continuation of that process. The Planning and
324 Zoning Commission recommended approval of the proposed text changes, and the ordinance was
325 submitted to Council in advance of this meeting, for review.

326
327 Councilmember Davis mentioned that there are municipally owned parking lots in Old
328 Seabrook, and asked if those lots can be counted for more than one business when counting off-
329 site parking. Mr. Landis explained that a section of the proposed ordinance addresses off-
330 premise parking, and that it must be within 500 feet of the establishment; therefore, yes, the
331 municipally owned lots can be counted by more than one business.

332
333 Councilmember Picha expressed concerned that there are existing businesses with
334 parking spaces in the front of the building that require backing out onto a street, rather than a
335 parking lot being in place, and with the proposed, new landscaping requirements, parking in the
336 front for those businesses will be an issue. Mr. Landis explained that the existing businesses
337 without parking lots will be grandfathered in, but when they are torn down and/or redeveloped,
338 they will be required to have on-site parking. Ms. Picha asked how this requirement will affect
339 duplexes in Old Seabrook. Mr. Landis explained that there is an exception in the proposed
340 ordinance for residential uses, but any commercial use, in the entire City (not just in Old
341 Seabrook), will be required to have on-site parking.

342
343 Councilmember Machol asked if property owners will be allowed to create their own
344 landscaping design. Mr. Landis stated that, for the most part, the owners will create their own
345 design; but, the proposed landscaping requirements include a set of specific prescribed methods.
346 However, just like with the sign ordinance, a property owner can bring a master landscaping plan
347 before the Planning & Zoning Commission and then Council for approval. The proposed
348 ordinance takes into account life, safety, health, and welfare requirements, but the flexibility of a
349 master landscaping plan is also written into it.

350
351 Mayor Kolupski asked if anyone wanted to speak for or against the proposed changes.

352
353 Having no speakers come forward, the Mayor closed the public hearing.

357 **3.2** Conduct a public hearing on the creation of Article 7, "Landscaping and Safety
358 Requirements". (Landis)

359
360 Mayor Kolupski opened the public hearing.

361
362 Sean Landis, Deputy City Manager, stated that this ordinance was provided to Council in
363 advance for review, and that he would be happy to answer any questions.

364
365 Mayor Kolupski stated that the landscaping requirement in almost every other city has a
366 prescribed requirement for greenspace, etc. This one is a little less restrictive than most, and
367 having the opportunity to provide a master landscaping plan kind of overrides everything in this
368 ordinance. Do we require the landscape plan when a resident pulls a permit? Mr. Landis
369 explained that the landscape plan must be provided when a permit is pulled and it must give the
370 details and define what will be provided in terms of landscaping. There is an addition of a
371 minimum residential landscaping requirement, so that a homeowner is now required to provide
372 landscaping. This ordinance is very detailed, but if someone has a smaller lot, there will be an
373 opportunity to request something different from the minimum. However, in order to abide by the
374 ordinance, the master landscaping plan would have to be a full package. Council does not have to
375 approve the master landscaping plan. Council can require that the person abide by the ordinance.

376
377 Councilmember Davis asked if this ordinance is requiring irrigation systems on Main
378 Street. Mr. Landis stated yes. Ms. Davis further stated that landscaping is a very subjective
379 thing, with some people seeing it as an artistic expression. It's understandable to prescribe
380 minimum requirements for a commercial area, but not in a residential area. Mr. Landis stated
381 that the requirements are the bare minimums. At least 15% has to be vegetative cover, actual
382 landscaping elements. There's a requirement for at least 1 tree. In the past, at least 3 trees were
383 required. Many lots are 50x25, so two oaks starve each other out. For shrubs, the fall back will
384 be 15% vegetation. That's the minimum that will be required. If an applicant doesn't meet the
385 10 shrubs requirement, the overall design will be reviewed. 99% of submittals complies with
386 this standard easily. Many are exceeding the standard, but the current Code of Ordinances does
387 not have an element that would allow the City the authority to have some grass and a bare
388 minimum planning and design. Right now someone can turn their entire front yard into a
389 driveway. Some HOA's restrict this, but some places do not have that restriction. Staff can do
390 some outreach to HOA's; however, experience has taught that usually deed restrictions are more
391 restrictive.

392
393 Jeff Larson, 2314 Acadiana, asked why the City can't write the ordinances to disallow a
394 parking lot in the front yard. Mr. Landis stated that the ordinance could be written to disallow a
395 parking lot in the front yard, but then there would not be a minimum landscaping requirement.

396
397 Mayor Kolupski asked if anyone wanted to speak for or against the proposed Ordinance.
398
399 Having no speakers come forward, the Mayor closed the public hearing.
400
401

402 **4. CONSENT AGENDA**

403
404 **4.1** Approve an excused absence for Robert Llorente for the April 3, 2018 regular City Council
405 meeting. (Hicks)

406
407 **4.2** Approve minutes of the April 3, 2018 regular City Council meeting. (Hicks)

408
409 Motion was made by Councilmember Johnson and seconded by Councilmember Picha

410 To approve the Consent Agenda as presented

411 MOTION CARRIED BY UNANIMOUS CONSENT

412 **5. NEW BUSINESS**

413
414 **5.1** Consider and take all appropriation action on first reading of proposed Ordinance 2018-13,
415 "Amendment to the Code of the City of Seabrook, Comprehensive Zoning Ordinance, Revising
416 Off-Street Parking, Loading, Ingress and Egress, Landscaping and Safety Requirements, and
417 Providing for a New Title". (Landis)

418
419 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A,
420 "COMPREHENSIVE ZONING", ARTICLE 5, "OFF-STREET PARKING, LOADING,
421 INGRESS AND EGRESS; AND LANDSCAPING AND SAFETY REQUIREMENTS" TO
422 PROVIDE COMPREHENSIVE REVISIONS AND UPDATES TO THE ENTIRE SUBJECT
423 ARTICLE UNDER A REVISED TITLE "OFF-STREET PARKING, LOADING, INGRESS
424 AND EGRESS"; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000
425 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE;
426 REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN
427 CONFLICT HERewith; AND PROVIDING FOR NOTICE AND SEVERABILITY

428
429 Motion was made by Councilmember Johnson and seconded by Councilmember Machol

430
431 To approve on first reading proposed Ordinance 2018-13, "Amendment to the Code of the City
432 of Seabrook, Comprehensive Zoning Ordinance, Revising Off-Street Parking, Loading, Ingress
433 and Egress, Landscaping and Safety Requirements, and Providing for a New Title".

434
435 MOTION CARRIED BY UNANIMOUS CONSENT

436
437 **5.2** Consider and take all appropriate action on first reading of proposed Ordinance 2018-14,
438 "Amendment to the Code of the City of Seabrook, Comprehensive Zoning Ordinance, Deleting
439 Landscaping and Buffering Requirements from Article 5, 'Off-Street Parking, Loading, Ingress
440 and Egress' and Recodifying such requirements by Creation of a New Article 7, Entitled,
441 "Landscaping and Buffering Requirements". (Landis)

444
445 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX A,
446 "COMPREHENSIVE ZONING", REPEALING IN ITS ENTIRETY THE PROVISIONS
447 PERTAINING TO LANDSCAPING AND BUFFERING REQUIREMENTS, SECTIONS 5.05
448 AND 5.06, CONTAINED IN ARTICLE 5, "OFF-STREET PARKING, LOADING, INGRESS
449 AND EGRESS; AND LANDSCAPING AND SAFETY REQUIREMENTS", AND
450 REPLACING SUCH PROVISIONS IN A NEW ARTICLE 7, ENTITLED "LANDSCAPING
451 AND BUFFERING REQUIREMENTS" TO PROVIDE FOR NEW UPDATED AND
452 COMPREHENSIVE REGULATIONS OF THIS SUBJECT MATTER; PROVIDING A
453 PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY
454 PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL
455 ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT
456 HERewith; AND PROVIDING FOR NOTICE AND SEVERABILITY

457
458 Motion was made by Councilmember Machol and seconded by Councilmember Davis

459
460 To approve on first reading proposed Ordinance 2018-14, "Amendment to the Code of the City
461 of Seabrook, Comprehensive Zoning Ordinance, Deleting Landscaping and Buffering
462 Requirements from Article 5, 'Off-Street Parking, Loading, Ingress and Egress' and Recodifying
463 such requirements by Creation of a New Article 7, Entitled, "Landscaping and Buffering
464 Requirements", with an amendment to remove the requirements for the quantity of shrubs.

465
466 MOTION CARRIED BY A 5-1 VOTE, WITH COUNCILMEMBER JOHNSON VOTING
467 NAY

468
469 **5.3** Consider and take all appropriate action on proposed Resolution 2018-17, "Suspending the
470 2018 Effective Date to Implement Interim GRIP Rate Adjustments". (Cook)

471
472 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS
473 SUSPENDING THE MARCH 2018 EFFECTIVE DATE OF THE PROPOSAL BY
474 CENTERPOINT ENERGY RESOURCES CORPORATION, D/B/A CENTERPOINT
475 ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS - TEXAS COAST
476 DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY
477 INVESTMENT IN 2017 AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE
478 COMPANY AND LEGAL COUNSEL

479
480 Motion was made by Councilmember Picha and seconded by Councilmember Adovasio

481
482 To approve proposed Resolution 2018-17, "Suspending the 2018 Effective Date to Implement
483 Interim GRIP Rate Adjustments".

484
485 MOTION CARRIED BY UNANIMOUS CONSENT

487
488 **5.4** Consider and take all appropriate action on proposed Resolution 2018-18, "Denying
489 Centerpoint's Application for Increase to Distribution Rates with Seabrook". (Cook)
490

491 A RESOLUTION OF THE CITY OF SEABROOK, TEXAS FINDING THAT CENTERPOINT
492 ENERGY HOUSTON ELECTRIC LLC'S APPLICATION FOR APPROVAL TO AMEND ITS
493 DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE
494 § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE
495 DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL
496 BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH
497 THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW;
498 REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL
499 COUNSEL
500

501 Gayle Cook, City Manager, stated that Seabrook belongs to a coalition and that coalition
502 acts as the members' watchdog. The coalition alerts member cities to rate increases and
503 amendments; therefore, many surrounding cities will pass resolutions in opposition to band
504 together. This tactic has been successful in the past, but not always. The current amendment is
505 for \$1, but the success has been keeping residents' bills down.
506

507 Motion was made by Councilmember Adovasio and seconded by Councilmember Machol
508

509 To approve proposed Resolution 2018-18, "Denying Centerpoint's Application for Increase to
510 Distribution Rates with Seabrook".
511

512 MOTION CARRIED BY UNANIMOUS CONSENT
513

514 **5.5** Consider and take all appropriate action on proposed Resolution 2018-19, "Authorizing the
515 Sale of Real Property Described as a 2.0514 Acre Tract in the Ritson Morris Survey, Abstract
516 52, Harris County, Texas." (Cook)
517

518 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEABROOK,
519 AUTHORIZING PROCEEDING WITH THE SALE OF CERTAIN REAL PROPERTY,
520 APPROXIMATELY 2.0514 ACRES OUT OF THE RITSON MORRIS SURVEY, ABSTRACT
521 52, HARRIS COUNTY, TEXAS, BEING OUT OF AND A PART OF LOTS 14 AND 15 OF
522 RUGGLES SUBDIVISION, A SUBDIVISION OF RECORD, MORE SPECIFICALLY
523 DESCRIBED IN EXHIBIT "A"; DETERMINING COMPLIANCE WITH CHAPTER 272.001
524 OF THE TEXAS LOCAL GOVERNMENT CODE AND AUTHORIZING THE CITY
525 MANAGER TO EXECUTE THE CONTRACT OF SALE AND RELATED DOCUMENTS IN
526 COMPLIANCE WITH IT'S TERM AND ALL APPLICABLE LAWS, REGULATIONS AND
527 CHARTER REQUIREMENTS; FINDING AND DETERMINING THAT THE MEETING AT
528 WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY
529 LAW
530
531

Motion was made by Councilmember Machol and seconded by Councilmember Davis

To approve proposed Resolution 2018-19, "Authorizing the Sale of Real Property Described as a 2.0514 Acre Tract in the Ritson Morris Survey, Abstract 52, Harris County, Texas."

MOTION CARRIED BY UNANIMOUS CONSENT

5.6 Consider and take all appropriation action on the budget for the 2018 Celebration Seabrook event, to be held on Saturday, October 6, 2018. (Petersen)

LeaAnn Petersen, Director of Communications, explained that staff is moving forward with the direction for Celebration Seabrook that Council gave earlier in the year; therefore, the budget needs to be approved. Items for the event are pre-paid out of the current fiscal year to reflect expenditures in the next fiscal year after October 1. In order to cut down on commissions, the search for sponsorships will be moved in-house. Instead of having specific sponsors for the Kids' Zone, for the stage, for the various areas, there will be levels similar to how Keels and Wheels and the Christmas Boat Parade handle sponsors. For example: gold level, silver level, bronze level, etc. Also, an increase in food vendors is planned because of the bigger headliner. The hope is to increase attendance with the bigger headliner, which will increase food and beverage sales. The admission price will be a \$5 flat rate, cash at the door. Kids 10 and under get in free. Online tickets sales end up costing money because of the fees to process credit cards. There will be an ATM at the front gate for people to get the cash needed to pay the admission. When Celebration Seabrook was first started admission was \$20, and next year will be \$5 because staff has listened to the feedback that it is too expensive to pay a higher admission price plus buy food and drinks. The City has received feedback that Seabrook residents should get in free; however, it takes a lot of extra staff to comb through residents because a Seabrook address encompasses El Lago and Taylor Lake Village. Last year advanced tickets were \$5 for Seabrook residents, with 320 residents redeeming the advanced discount. It took a lot of staff time to identify true Seabrook residents. Veterans and first responders have that designation on their driver's licenses, so it's much simpler to identify those persons for free admission. For everyone who that that the admission price was too high, the flat \$5 fee, in cash, will be a solution. There will be no credit card processing fees for the City or for the credit card holders. In 2017 there was only \$29.53 in credit cards sales at the gate. There has been more cash sales at the event gate than credit card sales.

There will now be a Kids' Zone wristband fee of \$5. The entertainment will also be a \$5 fee. In an effort to recoup drink tickets sales loss (drink ticket sales have decreased each year from 2015-2017), the price of drink tickets will increase by \$1. With these changes, plus merchandise sales, the 2018 revenue budget should increase.

Expenditures will be greatly reduced due to no commission fees. Approval of a larger entertainment budget is needed to allow for a larger acts, and for the hiring of an entertainment manager. The expenditures in the 2018 budget are as follows:

577 Kids activities - \$10,000
578 Beverages - \$9,000
579 Parking and transportation – \$2,000
580 Rentals - \$25,000 (fencing, tents, stage, so can't decrease)
581 Staff – same
582 Permitting and insurance – same
583 No lease agreements at Meador
584 Graphic design, signage, bulletin boards – same
585

586 Texas Hotel Lodging Association clarified that HOT funds can be used to pay all of the budgeted
587 expenses for Celebration Seabrook because the event promotes tourism, brings people to stay in
588 hotel rooms, and promotes the arts. For this event, historically, HOT funds requested were: 2015
589 - \$30,000; 2016 - \$45,000; 2017- \$45,000. For 2018 the request is \$55,000 out of HOT, and
590 nothing out of General Fund. HOT is the Hotel Occupancy Tax that all visitors pay when
591 staying in a hotel. This tax can only be used for certain things such as advertising; promotion of
592 arts; sports; convention and visitors bureau; marketing; convention industry; and stays in hotels
593 (tourism). HOT funds cannot be used to fix potholes, mow grass, or provide safety equipment or
594 other needs for PD.
595

596 Motion was made by Councilmember Davis and seconded by Councilmember Picha
597

598 To approve the proposed budget for the 2018 Celebration Seabrook event, to be held on
599 Saturday, October 6, 2018.
600

601 MOTION CARRIED BY UNANIMOUS CONSENT
602

603 **6. OLD BUSINESS**
604

605 **6.1** Remove from the table and consider and take all appropriate action on the reappointment of
606 Gary Johnson, as a private citizen, to the Board of Directors of the Clear Lake Emergency
607 Medical Corps (CLEMC), per the provisions of the Agreement between the City of Seabrook
608 and the Clear Lake Emergency Medical Corps, for a term to begin June 1, 2018 and ending June
609 1, 2019. Mr. Johnson is term limited in At Large Council Position 3 in May 2018. Mr. Johnson
610 is currently serving as the CLEMC Board President. (Davis)
611

612 Motion was made by Councilmember Davis and seconded by Councilmember Picha
613

614 To remove item 6.1 from the table.
615

616 MOTION CARRIED BY UNANIMOUS CONSENT
617

618 Councilmember Johnson stated that Gary in light of his recent discussions with the City
619 Manager and the City Attorney, and based on the TML regulations and requirements, as a private
620 citizen, he would not be covered under TML insurance; therefore, he will be resigning from the
621 CLEMB Board and the position of President of the Board.

No action was taken on this item.

7. ROUTINE BUSINESS

7.1 Review the Clear Lake Emergency Medical Corps (CLEMC) monthly report for March 2018. (Hunter)

No discussion or action was taken on Item 7.1.

7.2 Review the Seabrook Volunteer Fire Department (SVFD) monthly report for March 2018. (Gutaker)

No discussion or action was taken on Item 7.2.

7.3 Review the Seabrook Police Department monthly report for February 2018. (Wright)

No discussion or action was taken on Item 7.3.

7.4 Review the Seabrook Police Department monthly report for March 2018. (Wright)

No discussion or action was taken on Item 7.4.

7.5 Review the Seabrook Building Department monthly report for March 2018. (Landis)

No discussion or action was taken on Item 7.5.

7.6 Approve the Action Items Checklist which is attached and made a part of this Agenda. (Council)

TXDOT – Gayle Cook, City Manager, stated that an email was sent out to Council to confirm that TXDOT will be letting in May 2018. There are five (5) pre-bidders listed in the email, which is an indication of what companies are looking at the project. TXDOT has now combined three bids into one to include all three sections (Red Bluff down to FM 518). The Mayor and the City Manager met with the TXDOT District Engineer and the Houston Director to touch on a number of items of concern, based on Council and public comments. The advanced funding agreements were part of the discussion, and the City is still assuming, even though Council approved the application to the State Infrastructure Bank, that the City still has grounds to ask for consideration from TXDOT on the utility relocations, based on information staff has read in the TXDOT guidebook for local governments. Mayor Kolupski noted that he wrote a letter to Quincy Allen about three or four weeks ago, stating the City's concerns and asking for a face to face meeting. The letter had to be sent to Mr. Allen twice before a meeting was scheduled. At the meeting, neither the Engineer nor the Director was prepared to answer questions. They were surprised that the items in the letter were issues. It's becoming more and more frustrating. The previous Seabrook mayor may have had the same issues. Ms. Cook

continued by stating that the boat ramp was also discussed at the meeting with TXDOT. Those present looked at the plan set, and discussed if there is any possibility to shift pilings to give an entrance under the existing bridge and/or acquiring land that TXDOT now owns in order to build a new ramp. The TXDOT reps did not commit to either option, but took pretty detailed notes. A majority of the meeting was spent talking about the boat ramp and what an asset it is to the community. It was clear how passionate Seabrook is in trying to resolve the issue with the boat ramp. For the second funding agreement for landscaping/aesthetics, staff still has a question out to TXDOT on the standard cost that TXDOT would normally spend on landscaping/aesthetics on a similar project. The City's consultant has been asked to take a look at TXDOT standards. At this point, on both funding agreements, staff has made it clear the City is not ready to sign until questions are answered, which have been asked numerous times.

PROJECTS – Kevin Padgett, Director of Public Works, explained that the Pine Gully Pier project, awarded to Crawley Shoreline Construction, will hopefully get started next week. 800 bolts have been ordered and are in, so the anticipated completion is about four (4) weeks. There was a hiccup with getting a permit from Harris County on the Todville Sanitary Sewer project. When the message boards went up, a Harris County inspector saw them and had questions, so staff revisited and made adjustments to the traffic control plans. Contractor is completing pre-construction video and setting up barriers, so the project should be starting soon. The retainage has not yet been released on the new Public Works Complex, and won't be released until staff is satisfied with the work. There was an issue at the Veteran's Memorial with a flag taken down, so Public Works staff put a locking mechanism over the tie ups with a key. A walkthrough of the ground storage tank project for substantial completion was completed today that went well. There are a few areas that will need to be brought up to City standards, but completion is very close. The fencing and a wall are up around the tank. It is grated internally. The generator works. The wells have been started. The gate will be constructed and a cap will go around the wall.

GRANT ADMINISTRATION – Ms. Cook stated that the City has not received any money yet from FEMA. The City still being audited for IKE, and FEMA is threatening the de-obligation of monies; however, Harvey activities should not be in the same position. The two projects for reimbursement in the system (the emergency protective measures and debris removal) have had 16 reviews on the schedule. Right now there is no indication of a date of reimbursement, and the FEMA rep has changed. Staff met with the new rep last week. Staff has a meeting tomorrow to look at the Hazard Mitigation Grant. The City was asked to write a proposal for full funding of \$35 million for the Wastewater Treatment Plant. The City Manager, the Mayor, and Councilmember Picha met with Congressman Babin's office for a letter of support, and the draft letter received was not what was needed, so the City Manager is drafting something. She has also reached out to Congressman Weber's office. After the City receives the first letter of support, then staff will reach out to all other Legislators for the same letter.

Motion was made by Councilmember Adovasio and seconded by Councilmember Machol to approve the Action Items Checklist

MOTION CARRIED BY UNANIMOUS CONSENT

712
713 7.7 Establish future meeting dates and agenda items. (Council)
714

715 The next City Council meeting is May 1, 2018.
716

717 The May 15 City Council meeting will be the canvass of the May 5 General Election and
718 new Council members will take oaths of office.
719

720 8. **CLOSED EXECUTIVE SESSION**
721

722 8.1 **Section 551.072**

723 Discuss the purchase, lease, or exchange of real property in closed session due to potential
724 detrimental effect on City in negotiations with third party if conducted in open session, as
725 provided by Section 551.072 of the Texas Government Code. (Cook)
726

727 At 9:22 p.m. Mayor Kolupski announced that the City Council will now hold a closed executive
728 meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government Code,
729 and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section
730 551.072, Deliberation Regarding Real Property.
731

732 9. **OPEN SESSION**

733 *Council will reconvene in open session to allow for possible action on any of the agenda items*
734 *listed above under "Executive Session."*
735

736 At 9:28 p.m. Mayor Kolupski reconvened the meeting in open session and stated that item 8.1
737 had been discussed, but that no action had been taken in executive session.
738

739 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 9:29pm p.m.
740

741 Approved this 1st day of May, 2018.
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750 Robin Hicks, TRMC
751 City Secretary



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Thomas G. Kolupski
Mayor